

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2220 – SB 2361

February 28, 2018

SUMMARY OF ORIGINAL BILL: Directs the Commissioner of Health to study issues related to healthcare access and healthcare status of populations affected by the implementation of the Tennessee Prescription Safety Act of 2016, Chapter 1002 of the Public Acts of 2016. Requires the Commissioner to report findings and recommendations arising out of the study to the Health Committee of the House of Representatives and the Health and Welfare Committee of the Senate on or before January 15, 2019.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (013272): Deletes all language after the enacting clause. Authorizes a pharmaceutical manufacturer or its representatives to engage in truthful promotion of off-label uses.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The proposed legislation does not require a health insurance entity, other third-party payer, or other health plan sponsor to provide coverage for the cost of any off-label treatment; therefore, any fiscal impact to the Department of Finance Division of TennCare and Division of Benefits Administration is estimated to be not significant.
- Based on information provided by the Department of Health, the proposed legislation will not have a significant impact on the Board of Pharmacy or the DOH; therefore, any fiscal impact is estimated to be not significant.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had an annual surplus of \$885,058 in FY15-16, an annual surplus of \$620,117 in FY16-17, and a cumulative reserve balance of \$2,601,038 on June 30, 2017.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/jem